

RANTA Statement

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS : CRIMINAL TERM : PART 39

THE PEOPLE OF THE STATE OF NEW YORK :

-against-

Indictment No.
08990/90

DAVID RANTA,

Defendant.

Sentence

360 Adams Street
Brooklyn, New York
June 10, 1991

B E F O R E:

HONORABLE FRANCIS X. EGITTO
Justice and a jury

A P P E A R A N C E S:

CHARLES J. HYNES, ESQ.
District Attorney, Kings County
BY: BARRY SCHREIBER
Assistant District Attorney

ALSO PRESENT: SUSAN MONDO
Assistant District Attorney

MICHAEL BAUM, ESQ.
Attorney for Defendant

DEBORAH DREXLER, ESQ.
Attorney for Defendant

Theresa Maltese
Official Court Reporter

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2 THE COURT: I have a jury that I have to
3 charge this morning. I would appreciate it if
4 any comments you make are brief. And Judge
5 Miller is with Ms. Mondo because one of her
6 friends told Judge Miller that Ms. Mondo wasn't
7 the only one trying a case and Barry Schreiber
8 was in the courtroom and she wasn't necessary
9 for the Sentence. With that in mind, now, I am
10 advising everybody in this courtroom, I will
11 not permit any sound, noise, outcry whether here
12 or in the court -- or, I'm sorry, in the hall-
13 way. My court officers are under instruction to
14 remove anyone who makes any kind of an outcry or
15 sound.

16 COURT CLERK: This is on the Sentence
17 calendar, number two, indictment number 8990 of
18 '90, David Ranta. Counsel, your appearances
19 for the record.

20 MR. BAUM: Michael Baum, 26 Court Street,
21 Brooklyn, New York for David Ranta. Good morning.

22 MR. SCHREIBER: Barry Schreiber, D.A.

23 MS. DREXLER: Deborah Drexler, 40 Clinton
24 Street, Brooklyn, New York for Mr. Ranta.

25 MS. MONDO: A.D.A. Susan Mondo.

Report to find any reason to extend mercy to the defendant, I'd be high put to find it. This was a callous, cold-blooded attempted robbery and when the man panics because the robbery goes awry, he shoots somebody to take the car. Could have been you, could have been me, could have been anybody. Sure, he didn't intend to kill, to shoot a rabbi, but it could have been anybody in that car. And it was not just a callous act, it was a foolish, it was a stupid act.

COURT CLERK: Can Mr. Ranta make a statement?

THE COURT: Yes, I'm answering some comments of Mr. Baum. Go ahead.

COURT CLERK: Do you wish to say anything on your own behalf?

THE DEFENDANT: I -- Yes, I do.

COURT CLERK: With respect to sentence, address the court.

THE DEFENDANT: My name is David Ranta. I'm stating today that I'm not the man that shot the rabbi. All your witnesses you put up against me were from Detectives Scarcella and Camille who I find two very corrupt cops. They put a hooker,

1 a junkie, they put somebody who had raped,
2 Dametrik, who told them where the gun was.
3 They put him away with a deal. They put Alan
4 Bloom, who faced 109 years away with a deal,
5 they had Sherry, a known junkie who's on
6 programs, welfare and then you take my credible
7 witness, the Diamond Carry who looked at me
8 face-to-face supposedly I'm the shooter, right,
9 but he said it wasn't me. He said it wasn't me.
10 You took him, Mr. Schreiber and Ms. Mondo and
11 you abused him. You made that man look like a
12 jerk, when that's your job to take people and
13 abuse them to make liars out of credible witnesses
14 all because you feel you needed somewhere to go.
15 As of February to July they had nobody. But
16 then they gave him his immunity from 109 years
17 to a three-and-a-half to 10, so they took that
18 and they said, "Well, we get David Ranta. Let's
19 lay it on him. He's got blonde hair and he's
20 tall." I had Dametrik and Bloom when he raped
21 somebody, that's why they tag it to me because I
22 took something in my hands. Now, you people do
23 what you got to do because I feel this is all a
24 total frame setup, whatever you want to call it,
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2 but it's not going to stick. We are going to
3 meet again. And when I come down on my appeal,
4 I hope to God he brings out the truth because
5 a lot of people are going to be ashamed of
6 themselves. I will take this and I will feel
7 remorse, I will feel bad because of the rabbi,
8 but I didn't do it and I'm not going to feel any
9 worse than that. That's all I have to say,
10 Your Honor.

11 THE COURT: Well, I cannot rule on your
12 guilt or innocence, that's been decided by 12
13 people. I am merely here to look at your back-
14 ground, to look at the crime involved and to
15 impose a sentence that I consider proper under
16 these circumstances regarding you. As to count
17 one, the felony murder in the course of the
18 robbery of Werzberger, 25 to life concurrent with
19 count two felony murder immediate flight from
20 attempted robbery of Weinberger and count three
21 robbery one automobile of Werzberger consecutive
22 to count four, attempted robbery one Weinberger.
23 Count two, felony murder during immediate flight
24 from attempted robbery of Weinberger, 25 to life
25 concurrent with count one felony murder and

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2 count four, attempted robbery one but consecutive
3 to count three, robbery one Werzberger's auto,
4 count three robbery one auto of Werzberger
5 twelve-and-a-half to 25 concurrent with count
6 one but consecutive with count two and four.
7 Count four, attempted robbery one jewelry of
8 Weinberger, seven-and-a-half to 15 concurrent with
9 count two but consecutive to counts one and three.

10 Now, Ms. Drexler, did you file a Notice
11 of Appeal?

12 MS. DREXLER: Yes, Your Honor.

13 COURT CLERK: You are advised you have a
14 right to appeal from the sentence just imposed
15 by filing a Notice of Appeal with the clerk of
16 this court in duplicate within 30 days from
17 this date. A similar notice must be served on
18 the District Attorney of Kings County. If you
19 cannot afford to retain counsel for this purpose,
20 you may apply to the Appellate Division, Second
21 Department at 45 Monroe Place in Brooklyn re-
22 questing counsel be assigned to prosecute your
23 appeal.

24 The sentence of the court is on murder in
25 the second degree, 25 years to life, on the second

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2 count of murder in the second degree, 25 years
3 to life, each of those counts to run concurrent
4 with one another. As to the robbery in the
5 first degree, twelve-and-a-half to 25 years,
6 those counts to run concurrent with the robbery
7 of the murder count, but consecutive to the
8 attempted murder count -- Attempted robbery
9 count and on attempted robbery in the first
10 degree, seven-and-a-half to 15 years, that
11 sentence to run concurrent with the murder
12 count but consecutive to the robbery in the
13 first degree count.

14 MR. SCHREIBER: That's not what I understood
15 your sentence to be.

16 THE COURT: Count one is concurrent with
17 count two and count three but consecutive to
18 count four. Count two is concurrent with count
19 one and four, but consecutive to count three.
20 Count three is concurrent with count one, but
21 consecutive with two and four. Count four is
22 concurrent with count two, but consecutive to
23 one and three. Is that what I said?

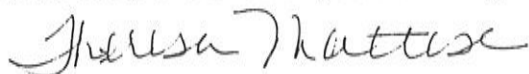
24 MR. SCHREIBER: Yes, Your Honor, that's
25 what I understood.

COURT CLERK: I have a copy of it.

THE COURT: Ms. Drexler, will you file a
Notice of Appeal, please and ask the Appellate
Division to assign counsel.

COURT CLERK: Defendant is remanded.

It is hereby certified that the
foregoing is a true and accurate
transcript of the proceedings.



THERESA MALTESE
OFFICIAL COURT REPORTER